

I do not wish to lament the past but the evictions and the abuse of process continue somewhere in Hawaii to this very moment. We are offering possible solutions and want to be part of the solution, not part of the problem.
Some of the possible solutions are:

Education, what are Hawaiians options and rights?

1. Develop cultural and educational Centers and systems where Hawaiians can learn what is to be Hawaiian through na kupuna and hands on living experiences.

H.L.F. has been working on two projects for cultural centers here in Kona, one on 50 acres for makua(up the mountain) and a 1.5 acre site makai(seaside). While office of Hawaiian Affairs has more than \$300,000,000 in cash for they refuse to fund these types of projects.(self-determination, cultural) The makua project would only require about \$2,000,000 to develop, but would be the only one of its kind in Hawaii.

The 50 acre parcel is owned by a Church and they have agreed to the project, now we need commitments for site development and input from na kupuna and cultural practitioners.

Provide funding for reasonable costs related to providing multi media educational programs, television, radio, print medias, community outreach, etc.

No more appearance of bias. **IMPARTIALITY!**

2. Develop a non-profit Non-Governmental Organization(NGO) within United Nations guidelines to prepare research on what the legal options, benefits, and possible impacts on each option that is legally feasible for Hawaiian Self-determination.(nation within a nation, full independence)

Funding for Hawaiian self-determination projects could be funneled through the NGO and provide economic and legal support for Hawaiian and self-determination projects. rights.

Almost all those people currently involved in Hawaiian self-determination do not trust the government with good reason their track record speaks for its self. Office of Hawaiian Affairs is a agency under the direct control of the Governor of the state of Hawaii and its track record is dismal at best and negligent at worst.

The Hawaiian Law Foundation is developing a NGO which is on the Internet @ www.hawaiianrights.org. This project is called the "Hawaiian Rights Legal Defense Fund" The purpose is to raise funds to locate attorneys

that have the experience and qualifications to handle the complex issues
and the United States face in this process of self-determination for

Hawaii
Hawaii nei.

The evidence is available, enforce the existing laws.

3. The United States Justice Department conduct an investigation into civil rights and criminal violations by local government officials. The only way to maintain the appearance of objectivity would have the investigation managed by an independent counsel type system, or by an agency with the United Nations.

The violations of Civil rights and criminal behavior by local government officials remains to this day unabated. But over the past six years many of the activities have been well documented by H.L.F. and others, the evidence is here, the problem is lack of enforcement.

Fund the programs, stop the corruption.

4. The United States needs to help facilitate this process, funding has remained the most crucial issue. While the state of Hawaii feeds off the natural resources and economic assets of the Hawaiian people, very little money is spent on Native Hawaiian programs. Grassroots groups like H.L.F. need to have infrastructure to help educate people in Hawaii on our rights and options.

One of the most appropriate actions might be to restructure the Office of Hawaiian Affairs from the state of Hawaii and place it within a United Nations Trust system. This would provide a substantive opportunity for the Hawaiian people, imagine having agency that is not focused on self agendas and political opinions and working to help Hawaiian achieve the rights they are entitled to. The actual amount of Hawaiian involved in O.H.A. is minimal, the infrastructure with offices and equipment on all of the islands could provide much needed help in the educational process needed so the Hawaiian people will be fully educated on what their options are.

The Courts of Hawaii are about to cause panic, education now.

5. There has been numerous court rulings in recent years relating to Hawaiian "sovereignty" our research indicates when you read between the lines of the rulings, the implications are substantive on all people in Hawaii.

Examples:

- a. State v. Lorenzo, 77 Hawai'i 219, 883 P.2d 641 (App. 1994).
A state has an obligation not to recognize or treat as a state an entity that has attained the qualifications for statehood as a result of a threat or use of armed force in violation of the United Nations Charter.

Restatement (Third) of the Foreign Relations Law of the United States

202(2).

The illegal overthrow leaves open the question whether the present governance system should be recognized, even though the illegal overthrow pre-dated the United Nations Charter.

In the light of Public Law 103-150 is there any question whether or not the Provisional Government and their successors obtained their statehood as a result of "armed force"?

b. State v. French, 77 Hawai'i 224, 24, 4.(app. 1994)

" **Presently**, there is no factual basis (or legal) basis for concluding that the [Hawaiian] Kingdom exists as a state in accordance with recognized attributes of a states sovereign nature." (emphasis added)

The court clearly indicates that at the present time there no basis for concluding the Hawaiian Kingdom exists, it does not appear to foreclose the issue of the continued existence or nonexistence of the Hawaiian Kingdom. We are the only entity adjudicating and exploring the implications on the United States and state of Hawaii.

c. PUBLIC ACCESS SHORELINE HAWAII(P.A.S.H) VS. HAWAII COUNTY PLANNING COMMISSION.(1994)"

"... exclusive use ... was not... the 'bundle of rights'...the issuance of a.. Hawaiian land patent confirmed a limited property interest... with typical patents governed by western concepts of property. Cf. United States land v. Winans, 198 U.S. 371, 384 (1905)..."

"... confirms that fee simple title in Hawai'i is specifically limited..."

"... fee simple title in Hawai'i is ... limited by the sovereign authority..."

"...permitting access to private property... may indeed conflict with...exclusivity... associated with fee simple ownership of land...any argument... extinguishing of traditional rights... with our modern system of land tenure must fail".66 Haw. at 4, 656 P.2d at 748 .

Currently when someone is buying real estate in Hawaii there are no disclosures of these facts outlined by the Supreme Court. People still think they can get real "fee simple" ownership, when the courts have clearly indicated it does not exist in Hawaii, but no disclosures.

Stopping the abuse of process and authority.

d. In 1998 one of our kupuna was arrested and prosecuted for trespassing on his own land which was taken from him through a foreclosure process even though he never took out a mortgage, or received one penny.

In state of Hawaii v. Paalua Uncle Sonny was represented by a Public Defender who asserted under oath **"the state of Hawaii is an illegitimate government that should not be recognized"**. A hearing was held on October 26, 1998 on Uncle Sonny's Motion to Dismiss, after 30 days with no ruling by the judge, the state of Hawaii dismissed all the charges, one week before a jury trial was scheduled.

Uncle Sonny is still subject to arrest if he goes home or visits his family graves on the property.

Native Hawaiian Language programs need funding.

6. We are working with the Hawaiian Language Immersion Program through our Ke kula Kaiapuni Hawai'i o Kona, and trying to deal with the inequities native Hawaiians face.

While our program is within the Department of Education, we as mukua(parents) had to raise funds to provide transportation for our keiki(children). While we did raise more than \$27,000 for a bus, this will only cover one years cost. all of the other programs are provided bus transportation only the Hawaiian Language program has to find their own busing.

We lack funds for books, many of our parents must spent hundreds of hours "cut and pasting" children's books from English to Hawaiian.

We are a 501(c), 3 Organization attempting to raise funds, many of our makua must spent hundreds of hours just trying to keep us above the water.

We have to struggle to when Hawaiian Language programs are mandated by Law under the state of Hawaii Constitution, again no enforcement.

In closing myself and Lunakanawai offer unique insight on Hawaiian Rights, we have never been part of any "sovereignty" group, though we have closely watched each endeavor. We are working through this process with Aloha and all the principles that go along with it. As you are aware during this process we want to show you and this project the greatest respect and aloha.

I will be sending you the forms to testify, but again we wish to participate in any panel

discussions.

Mahalo nui loa for your concern and we look forward to moving this process in a positive direction.

Malama pono,

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Shame on Trask

In response to the comments made by OHA trustee Mililani Trask
on the
front page of the
Honolulu Advertiser November 10, 1999 regarding U.S Senator
Daniel
Inouye calling him
?a one armed bandit? and her comments ?this is a Hawaiian
thing...we
want to work with
a Hawaiian Senator...not the Japanese senator...?.

First her comments assault every person who has served for the

recognition of their political status. The United states government is coming to find out what the Hawaiian people need and want regarding Hawaiian self determination. We hope Trask is not speaking for all Hawaiians at these hearings, from her comments of racial hatred, it appears she wants to build another South Africa in Hawaii for her ?Hawaiians?. I am sure few Hawaiians would support another system of apartheid, no matter what racial group is on top.

Myself and through the Hawaiian Law Foundation we are working hard towards self-determination for the Hawaiian people, through the judicial process, not racial hatred. Hawaiian self-determination will only be realized when we focus with Aloha and based on the facts and Law, not racial classifications, not misconceptions, not opinions, and certainly not by hurtful acts like Ms. Trask and her Office of Hawaiian Affairs.

Mahalo nui loa, Ron Cawthon member of the Hawaiian Law Foundation.

You may contact the Hawaiian Law Foundation @ P.O. Box 390725, Kailua-Kona Hawaii 96739